

Board of Commissioners  
September 4, 2007 – 8:45 am

Meeting called to order by President Rininger. Commissioners Rininger, Logsdon, Gogel, and Board Attorney Lueken were present.

Minutes

August 6, 2007 and August 21, 2007 – Gogel made a motion to approve. Logsdon seconded. All in favor.

Claims

Logsdon made a motion to approve claims for September 4, 2007. Gogel seconded. All in favor.

Payroll

Logsdon made a motion to approve payroll claims for August 17, 2007 and August 31, 2007. Gogel seconded. All in favor.

Surveyor / Office Move

Sublett requested that his office be moved back to the basement where the original Surveyor's Office was located. Logsdon stated that he would like to speak with King on what work would need to be done to set the office up for the equipment used in the surveyor's office. Clerk Jochim stated that she would still need access to the back room of the basement office since that is where the voting machines are stored. Rininger suggested that this wait until the first of the year. Logsdon made a motion to table the discussion until the last meeting in December.

Engineering and Highway Report

Painter is on vacation.

Vectren Bond – Lloyd said that a bond for work Vectren does in the county rights-of-way has been received. She requested that a letter be sent to Vectren stating that the county expects it to be annually renewed.

Vectren Pole Replacement – Lloyd stated that she has not heard a response from Vectren on the road repair estimate sent to them by the county.

Ramey Riding Stable – Ramey Riding Stable requested that CR 200 West be closed during the Annual Ramey Equestrian School Dressage and Jumping Classic on Saturday, September 15<sup>th</sup> from 7:00 am to 2:00 pm. Logsdon suggested the decision be delegated to President Rininger when more information is available. Lueken expressed concerns. Logsdon suggested that they be given information on how to contact React to help with parking. Perdue stated CERT can help provide barriers and signage. Logsdon made a motion to delegate the decision to Rininger working with Lueken and Lloyd to make the decision. Gogel seconded. All in favor. Information came later in the meeting and Rininger stated that if it was closed then the road needs to be very well marked with proper barricades. Lloyd stated she will contact Ramey and if she agrees to the conditions she will contact the board. Gogel made a motion to close the CR 200E on Saturday, September 15<sup>th</sup> from 7:00 pm to 2:00 pm. Logsdon seconded. All in favor.

Orchard Road Project – Lloyd gave the commissioners copies of the Waiver Valuations prepared by URL for commissioner approval. Logsdon suggested that they should be taken personally to the home owners and deal with them face to face. Lloyd stated that it would not be a problem. Logsdon made a motion to approve the values. Gogel seconded. All in favor.

Signage – Logsdon asked about the county putting up handicapped child signs and children at play signs. Lueken stated that he spoke with MIA (the county liability insurance provider) and it was their opinion that the county could see a benefit from honoring the request and it added no liability to the county. Lueken stated it should be looked at on a case by case basis. Logsdon stated that a process needs to be put in place to contact the highway department and complete a request form. Rininger directed Lloyd to develop a policy and get it to Lueken to review.

Offsets for new construction – Rininger stated that an offset policy needs to be looked at for new construction to allow for an access road if necessary in industrial areas. It was decided that it needs to be discussed with the zoning board.

Commissioner Meeting September 4, 2007 cont.

Water – Rininger stated that an ordinance needs to be developed to limit the amount of water being taken out of the county and to control industrial uses of the water. Logsdon stated he would like to hear from a certified hydrologist on the stress that the aquifer can take and still provide adequate drinking water.

CR 175E – Logsdon asked about the status of CR 175E. Lloyd stated she thought it was being finished up.

Dump Truck – Logsdon asked about the payment of the dump truck that was tabled in the last meeting. Lueken stated that he has not been able to understand how the finance company came up with the amount due. Gogel made a motion to pay them one-third of the accepted bid amount for the three trucks. Logsdon seconded. All in favor.

#### Legal Report

Auto Abatement – Lueken stated that the automatic abatement by the state has now been taken away as of March 2<sup>nd</sup>.

Pending Litigation – Lueken stated that there is a pending suit over an accident which happened in Perry County, but Spencer County was named. He has spoke with the attorneys involved and Spencer County should be dropped from the suit.

Swimming Pools – Lueken will be sending a draft of the letter which will be sent to people in violation of building codes regarding in ground swimming pools.

Rockport Wage Committee – Mayor Packer needs an appointment for the Wage Committee for the Rockport Storm Drainage Project and recommended Marty Payton. Logsdon made a motion to appoint Marty Payton. Gogel seconded. All in favor.

Pending Litigation – Regarding the 231 Plaza suit, the defendant has filed an appeal and the county has prepared its answer.

#### Bid Opening – Midway Streets

The engineering estimate of for the work was \$60,064. Lueken read the bids as follows:

E and B Paving -	\$60,625.00
Goehman Asphalt -	\$47,850.20
JH Rudolph -	\$51,971.00
Metzger Construction -	\$56,586.00

Lloyd reviewed the bids and stated that Goehman Asphalt has the low bid. Lueken suggested that the bid be tabled due to litigation brought against Spencer County and Goehman Asphalt. Goehman has not indemnified the county in the law suit. Lloyd stated that if the project is tabled until the meeting on the 18<sup>th</sup> it would not hold up the project. Logsdon asked if the county can award to the next lowest bidder. Rininger asked for public comment and there was not comment. Logsdon made a motion to table the bid until the meeting on the 18<sup>th</sup>. Gogel seconded. All in favor. Gogel asked if it was worth paying the extra on the project to not award the bid to Goehman Asphalt, because we are punishing ourselves. Lueken stated he is working to get the docket cleared before the liability insurance is re-evaluated.

#### Complaint – Villa Ova

Rininger read a letter of complaint was received from Brian and Megan Poole regarding an abandoned property adjacent to theirs. The owner of record is Nicole Herring. Rininger stated that a weed ordinance letter needs to be sent. Shelton will research the address. Logsdon asked if highway employee could dispose of the trash. Lueken stated that the trash is on private property; he suggested contacting the county health department. Logsdon made a motion to take whatever action is necessary. Gogel seconded. All in favor.

#### Ameresco

Phil Pursley presented the commissioners with three bids for preventive maintenance at the jail. He recommended using Dillingham. Logsdon made a motion to accept the Dillingham proposal. Gogel seconded. All in favor. A contract from Dillingham needs to be obtained.

Census Bureau Address Update

Plan Administrator Cail asked permission to do the requested Census Bureau Address Update and attend the training. She stated that the county loses \$4,500 for every address that is missed. Logsdon made a motion to approve Cail attending the training and then report back to the board. Gogel seconded. All in favor.

Stormwater Drainage Ordinance

Discussion was had on notifying the incorporated towns and the City of Rockport of the Stormwater Drainage Ordinance passed by the board and that they are allowed to “piggy back” off of it.

Insurance Replacement Costs

Deputy Auditor Graham explained that the insurance consultant hired in 2001 gave replacement costs for the county buildings which were too low even after they have been adjusted three to four percent annually. Tom Schipp of Universal can do a replacement estimate for \$1,800 or an appraiser can be hired. Discussion was had on whether a professional estimate or appraisal was required or if the cost can be estimated by contacting neighboring counties who have recently built new buildings. Lueken stated that the insurance company will probably want documentation. Chris Middleton will be contacted to see what is required.

Chrisney Library

Logsdon made a motion to draft a letter of support for the Chrisney Library to receive a building grant. Gogel seconded. All in favor.

Hazmat Plan Update

EMA Director presented the updated Hazmat Plan for the commissioners to sign; the basic plan did not change. Gogel made a motion to sign. Logsdon seconded. All in favor.

Burn Ban

Perdue stated that the area fire chiefs are asking for the burn ban to be re-instated. Gogel made a motion to re-instate the burn ban until further notice by the board. Logsdon seconded. All in favor.

Logsdon made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 11:20 am.

Board of Commissioners,

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President  
Attest:

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Cindy Shelton, Auditor

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